

Department of Permitting and Environmental Review (Permitting)

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Residential Building On or Near Waterfront

• FREQUENTLY ASKED QUESTIONS •

*Visit the Permitting Web site at
www.kingcounty.gov/permits
for more information*

Permitting Customer
Information Bulletin #**10**

King County Permitting has created customer information bulletins to inform the general public about the effect of codes and regulations on their projects. These bulletins are not intended to be complete statements of all laws and rules and should not be used as substitutes for them. If conflicts and questions arise, current codes and regulations are final authority. Because the codes and regulations may be revised or amended at any time, consult King County staff to be sure you understand all requirements before beginning work. It is the applicant's responsibility to ensure that the project meets all requirements of applicable codes and regulations.

For alternate formats, call 206-296-6600.

The purpose of this bulletin is to help customers determine what development constraints exist on shoreline (waterfront) lots in King County. Shorelines are regulated in the King County Code (KCC) by both Title 21A.24 (Critical Areas Ordinance) and Title 25 (Shorelines Management). These provisions also apply when remodeling existing structures or constructing or remodeling accessory structures such as piers, moorages, and bulkheads; these provisions are in addition to other King County requirements and permits that may be needed for development within shoreline areas.

How Does the Critical Areas Ordinance (CAO) Regulate Shorelines?

The KCC protects shorelines as Aquatic Critical Areas in order to protect public health and safety, and to promote environmental health in the region. A certain portion of adjacent land is established as a buffer to the critical area and is also protected from certain development activities.

Aquatic Critical Areas are defined as "any non-wetland feature including all shorelines of the state, rivers, streams, marine waters, inland bodies of open water including lakes and ponds, reservoirs and conveyance systems and impoundments of these features if any portion of the feature is formed from a stream or wetland and if any stream or wetland contributing flows is not created solely as a consequence of stormwater pond construction. Aquatic areas are typed as follows:

- Type S: inventoried shorelines of the state, including segments of streams where mean annual flow is more than twenty cubic feet per second, marine shorelines, and lakes twenty acres in size or greater (including associated wetlands);
- Type F: all aquatic areas that are not Type S, that contain fish habitat.

The CAO requires that undisturbed vegetated buffers be established adjacent to aquatic areas. Standard buffer widths for each type of aquatic area are shown in the table below. However, flexibility has been built into the Critical Areas Ordinance, and there are a variety of circumstances under which the standard buffers may be reduced. These include sites with an approved rural stewardship plan, sites that qualify for buffer averaging, and a variety of other allowed alterations as described in 21A.24.137. Such allowed alterations include construction of new residences limited to large lakes that are highly developed already, and replacement and expansion of existing structures and new docks and piers (subject to KCC Title 25).

Aquatic Area Type	Standard Buffer Width, Urban Growth Area (UGA)	Standard Buffer Width, UGA, Basin or shoreline designated "High"	Standard Buffer Width, Outside UGA	Standard Buffer Width, Bear Creek Drainage Basin
Type S	115 feet	165 feet	165 feet	165 feet
Type F	115 feet	165 feet	165 feet	165 feet

How Does the Shoreline Management Program Regulate Shorelines?

Title 25 of the KCC regulates all building, excavation, dredging, and filling within 200 feet of regulated shorelines. For residential development, this code prohibits the placement of most structures within the Shoreline Setback, but does not require that this setback be maintained as a buffer, as the CAO does. The table below shows the shoreline setback for the various shoreline designations. Shoreline designations have been mapped for King County. Information about this and [designation maps](#) can be found online on the Shoreline Master Program Web site at www.metrokc.gov/shorelines.

Designation Setback Requirement	
Urban or Rural	20 feet
Conservancy	50 feet
Natural	100 feet

Also, in most cases the Shoreline Management Program requires that structures within 200' of regulated shorelines may not exceed a height of thirty-five feet above average grade level.

Plot Plan Requirements

The following information must be shown on a proposed plot plan if a Residential Building Permit Application is for a saltwater, lake, or river shoreline location:

- For saltwater sites, show the Ordinary High Water Mark (OHWM), which is the line of vegetation distinguishing the upland from the beach, or, if present, the edge of a bulkhead.

For freshwater sites:

- Show the OHWM. If no distinct line of upland vegetation or bulkhead is apparent, information on the Ordinary High Water Line may be obtained from the Permitting Services Center at 206-296-6600.
- Show the 100-year flood plain. (For Lake Sammamish, show the 100 year flood level at elevation 32.5 feet NGVD, and the OHWM at 27 feet. For Lake Washington, show the OHWM as 15.13 NGVD)

For river locations, show:

- The extent of the 100-year flood plain, which is the maximum water covered area of a flood with an expected frequency of once every 100 years. Many flood hazard areas are mapped by the Federal Emergency Management Agency in the Flood Insurance Study for King County, or you may contact the Flood Hotline at 206-296-6606.
- The OHWM, which can be determined by locating a distinctive change in vegetation or channel topography that suggests the action of waters.
- The upland edge of the Floodway. The Floodway is defined as the fast-moving portion of a river that would undermine pedestrian stability during flood conditions. Information on the Floodway may be obtained from the Permitting Services Center at 206-296-6600.

General Development Guidelines

The following general development guidelines apply to typical accessory structures and are subject to shoreline review and approval prior to construction.

Piers and Moorages

- Piers may not extend beyond 80 feet of the OHWM, or be located in water deeper than 13 feet.
- Piers must not exceed a total surface area of 600 square feet.
- All portions of piers and other over-water structures must be set back at least 15 feet from the sides of adjacent property line.
- A construction cost estimate must be submitted with plans. Any pier that exceeds \$5,718 fair market value requires a Substantial Development Permit. Piers under \$5,718 require a Shoreline Exemption.
- Mooring buoys may be allowed up to 80 feet offshore from the OHWM. In areas where the 80-foot limitation does not permit adequate depth, however, mooring buoys may be installed farther offshore, subject to King County Permitting and/or U.S. Army Corps of Engineers and Coast Guard approval. Covered moorage or boathouses are not permitted. [See Chapter 25.16.120(b) of the KCC.]

Shoreline Protection

Shoreline protection is normally permitted only when necessary to protect existing legally established structures and public improvements, or to preserve important agricultural lands, as determined by King County Permitting. Shoreline protection is not normally permitted waterward of the OHWM, except when necessary to tie in with existing bulkhead(s) installed no farther offshore than the original.

In addition to approval from the King County Department of Permitting and Environmental Review (Permitting), any shoreline development or construction project may also require a permit from the U.S. Army Corps of Engineers and/or the State Department of Fish and Wildlife. Work over tidelands, such as dock/pier construction or mooring buoys, may also require approval from the Washington State Department of Natural Resources.

For more information about shoreline development, call a Shoreline Planner or Critical Areas Ecologist at the Permitting Services Center at 206-296-6600.

For information relating to floodways, identification of high water marks, etc., contact Permitting Services Center at 206-296-6600.

Other Bulletins and Telephone Numbers That May Be Helpful

Bulletin 1	Building and Development Permit Telephone Numbers
Bulletin 6	Working With Contractors
Bulletin 9	Obtaining a Residential Building Permit
Bulletin 12	The Residential Building Permit Process
Bulletin 16	Shoreline Erosion Control
Bulletin 17A	Zoning Code: Overview and Summary
Bulletin 21	Critical Areas Review
Bulletin 26	SEPA Process
Bulletin 28	Clearing and Grading Permits

These bulletins are all available via the Permitting Web site at www.kingcounty.gov/permits.

206-296-6600 Permitting Information

Be sure to visit our Web site at:
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King County complies with the Americans with Disabilities Act (ADA). If you require an accommodation to attend a meeting (two weeks' notice) or require this information in Braille, audiocassette, or large print, please call 206-296-6600 or TTY 206-296-7217.

